

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO.: 1:04-cr-10384-1

UNITED STATES OF AMERICA

V.

DANIEL KAMEN

DEFENDANT'S MOTION TO MODIFY THE CONDITIONS OF PRETRIAL RELEASE

The Defendant Daniel Kamen, by and through undersigned counsel, respectfully requests this Honorable Court modify the conditions of pretrial release by ending his current order of a 24 hour a day home detention through electronic monitor to be replaced by an order of remaining on electronic monitoring but with a 10:30 p.m. – 7 a.m. curfew. (Essentially, he would not be detained at home between 7 a.m. and 10:30 p.m.)

As grounds therefore, the Defendant states that:

1. Since December 30, 2005, the defendant, who is charged with receipt of child pornography, has been released on an electronic monitor to the custody of his mother, Helen Kamen, at their home at 99 Burlington Street, Lexington, Ma.
2. His nearly 8 month home detention has been without incident and he has conformed perfectly with all conditions as set forth by the court and the Office of Pretrial Services.
3. After consultation with his Pretrial Services Officer Christopher Wylie, it is now proposed that his home detention be replaced by an order of a 10:30 p.m. curfew to 7 a.m. In other words, he would not have home detention between 7 a.m. and 10:30 p.m.

4. Other conditions include:
- a. No unsupervised contact with any minor child under the age of 18.
 - b. No minor child under the age of 18 may enter his home at 99 Burlington Street, Lexington, Ma.
 - c. He seek and maintain employment.
 - d. He receive prior approval of pretrial services before he applies for a particular job.

The Office of Pretrial Services expressly **assents** to this motion.

WHEREFORE, the Defendant respectfully requests this Honorable Court grant the within Motion.

Respectfully submitted,
Daniel Kamen
By his attorney

/S/ Peter T. Elikann

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CERTIFICATE OF SERVICE

I, Peter T. Elikann, counsel for the Defendant Daniel Kamen, hereby certify that I have served this Motion upon the Government by delivering a true and exact copy to its counsel, Paul Moore, Assistant United States Attorney, United States Courthouse, One Courthouse Way, Suite 9200, Boston, Ma. 02210.

Dated: August 17, 2005

/S/ Peter T. Elikann

Peter T. Elikann